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March 1, 2023

Via ECF

The Honorable Valerie Caproni
United States District Judge for the
Southern District of New York
40 Foley Square, Room 240
New York, New York 10007

Re: Richards v. Empire Scaffolding Systems, Inc, et al. Docket No. 21-cv-6638 (VEC)

Dear Judge Caproni:

As Your Honor may know, we represent the named Plaintiff Wayne Richards and the opt-in Plaintiffs Israel Allaico, Carlos Dominguez, Victor Luna, Manuel Malla, William Suarez, Manuel Yaguachi, Fernando Espinobarra (collectively as “Plaintiffs”), in the above referenced conditionally certified wage and hour collective action against Defendants Empire Scaffolding Systems, Inc., Demari Installations Corp., Demari Services, Inc., and Antonios Mamounas, individually.

On February 8, 2023, the Court ordered an Initial Pretrial Conference (“IPTC”) to take place on Friday, March 3, 2023, at 10 a.m. We write now, jointly with Defendants, to request that the Court adjourn the IPTC because the parties have agreed to and have scheduled private mediation for Tuesday March 28, 2023. Prior to agreeing to the private mediation, the parties exchanged an initial demand and a credible counter offer leading both sides to believe that the private mediation will lead to a resolution of the matter. This is our first request for an adjournment of the IPTC. The parties propose any date sometime after March 28, 2023, for the adjourned IPTC.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Michael J. Borrelli', with a stylized flourish at the end.

Michael J. Borrelli, Esq. (MB 8533)
For the Firm

Application GRANTED. The initial pretrial conference scheduled for March 3, 2023 is hereby CANCELLED. All deadlines in this case are STAYED. The parties must provide a joint update on the outcome of mediation by no later than **April 3, 2023**.

SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Valerie Caproni', with a stylized flourish at the end.

Date: 3/1/2023

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE